answer?
A. Because the way I felt at the time is that he had told me this is going to be a deposition hearing to where these are the questions they're going to ask and, you know, my penmanship is not all that good to where I know that if I put a little something in on each of them that happened, I know we're going to be talking, and I can elaborate a lot more on things. To where there is probably things I've mentioned that didn't mention in here. I'm screwed up that way, I'm sorry.
MS. LaPORTE: Okay. No, that's all right. Can we take a ten-minute break. I don't have much more to go through.
(BRIEF RECESS)
Q. If we can go back on the record, please, Mr. Dias. I just want to ask you a few more questions. First I'd like to start by having this marked?
(DEFENDANT'S EXHIBIT E MARKED FOR IDENTIFICATION)
Q. Mr. Dias, have you ever seen this sheet before?
A. Yes.
Q. Is that your signature at the bottom of the page?
A. Yes.
Q. Okay. If you could for me look down to Number 8

under there, you indicate this is an affidavit that you prepared and signed on July 18 of 2003. Was this submitted to the Rhode Island Commission for Human Rights?
A. No. No.
Q. Why did you prepare an affidavit then?
A. The reason I did it this way is because there was some other co-workers that worked on the second shift that were suing Wal-Mart and they told me they had a lawyer, all right. So I said, well, maybe I should go with somebody that already knows the case. I could have easily called the Human Rights, but I figured this way here, it probably get rolling quicker.
Like I said, the other two ones I had to send something in writing up to the Commission of Human Rights. You had to write out what's happening and then they had to give the response from the other people, and then they made an appointment to come up to Providence and all that. I figured this would be easier.
Q. You didn't file a charge of discrimination against Wal-Mart?
A. At the Human Rights, no.
MR. NOVACK: I don't think he

understands the question.
(OFF THE RECORD)
MS. LaPORTE: Back on the record. If you could mark this as Exhibit F.
(DEFENDANT'S EXHIBIT F MARKED FOR IDENTIFICATION)
Q. Mr. Dias, I'm handing you a sheet that's called Charge of Discrimination. Have you ever seen this before?
A. Yeah.
Q. I'm sorry?
A. Yes. I signed this.
Q. So that's your signature at the bottom right?
A. Yes.
Q. Okay. So this was a Charge of Discrimination you filed with the Rhode Island Human Rights Commission on July 18 of 2003?
A. Yes. See, I did't understand it was Human Rights. My lawyer told me it was the EEOC, in my mind a different organization. I didn't even know this says Human Rights.
MS. LaPORTE: That's fine.
A. My error, I'm sorry.
Q. So you did file a Charge of Discrimination against Wal-Mart?

A. Yes.
Q. And what we had previously marked as Defendant's Exhibit E, was this the affidavit you attached to your Charge of Discrimination?
A. Yes.
Q. Could you look at Number 8 for me, please. Under that you indicate that a time you work at Wal-Mart you observed black workers being treated differently than white workers as follows. You say, "The blacks were given more work to do than the whites. Can you give me examples of when black employees were given more work than whites?
A. Like before, it's like -- it just seemed like say, for instance, we'll say Ray or Timmy or whatever, had X number of pallets to do, they would take their time doing them pallets to where the blacks were pushed to finish theirs so they can go to another area to work. So that if I went and finished my pallets, get over there and do some more stuff.
Q. So white employees didn't go and help other employees when they were done with their pallets?
A. Yes, when they were done with their pallets, they would go other places but they would not finish their pallets, they would not go to other